

**Sanctuary Advisory Council**  
*Thirty-sixth Meeting*  
Thursday, June 17, 2004  
8:30 a.m. to 3:00 p.m.  
Honolulu International Airport  
Inter-island Conference Center, 7<sup>th</sup> Floor

**FINAL MINUTES**

**Attendance**

*Primary Council Members Present:*

Jim Coon, Bill Friedl, Walter Haas, Lou Herman, Becky Hommon, Eric Kingma, Marc Lammers, Bill Lennan, Richard McCarty, Naomi McIntosh, Terry O'Halloran, Jeanne Russell, Glenn Soma, Jeff Waters, Reg White, Bob Wilson, Michelle Yuen.

*Alternate Council Members Present:*

Duane Erway (for Sara Peck), Sarah Malloy (for Margaret Akamine).

*Excused:*

Athline Clark, Liz Corbin, Nancy Daschbach, June Harrigan-Lum, Kimokeo Kapahulehua, Teri Leicher, Jerry Norris, Sara Peck, Dick Poirier, Robert Smith, Mike Stanton.

*Others Present:*

HIHWNMS: Keeley Belva, Chris Brammer, David Nichols, Patty Miller, Jean Souza, Justin Viezbicke.

PUBLIC: Daniel Davidson, Tamra Faris, Kevin Killeen, Paul Newman, Adam Pack, Terry White, Ann Wright.

**Distributed Materials**

- Final Agenda
- Final Meeting Minutes (04/21/04)
- Meeting Action Items
- Sanctuary Manager's Report
- State Co-Manager's Report
- Hawai'i County Report
- Conservation Committee Report
- Boater Outreach Working Group Report
- Naturalist Certification Working Group Report
- Non Point Source Pollution in the National Marine Sanctuary Program
- Governor Lingle Response to Pump-out Facility Letter
- Basta Letter Regarding Chairs and Coordinators Meeting
- Advisory Council Facts 2003/2004 One-Pager
- State of the Sanctuary Report 2003-2004
- Channel Islands NMS Boater Safety Brochure

**Conservation and Education Committee Meetings** were held before today's Council Meeting.

### **Call to Order**

*The purpose of this meeting is to continue efforts for the Council to become more integrated with the Sanctuary's programs and activities.*

Following the *pule* (traditional Hawaiian chant) the Sanctuary Advisory Council (Council) Chair, Jim Coon, called the meeting to order at 10:15 a.m. Walter Haas began the meeting by taking roll.

### **Introduction of New Members and Staff**

Mr. Coon welcomed Michelle Yuen to the Council. Ms. Yuen began her term as the Native Hawaiian Primary Representative. Justin Viezbicke, the West Hawai'i Marine Conservation Coordinator was also introduced and welcomed.

Naomi McIntosh thanked the members whose terms will end in July. They were presented with certificates and leis. Mahalo nui loa to Jim Coon, David Hoffman, Terry O'Halloran, Claud Sutcliffe, Jack Laufer, Donald Bunnell, Lou Herman, Teri Leicher, Mike Stanton, Michele Kayal, Reg White, and Wally Patch for their dedication and hard work over the last two years.

### **Approval of Meeting Minutes**

Bill Lennan made a motion that the minutes from the April 21, 2004 Council meeting be approved with suggested changes Teri Leicher submitted via email (requesting that the sentence on page 6 reading "Ms. Leicher said that they have been working on installing day-use moorings in Hawai'i for the last 20 years" be changed to "Ms. Leicher said that the day use mooring program has been a "work in progress" since 1986."). The motion carried unanimously.

### **Public Forum**

Ann Wright is a new resident in Hawai'i and is interested in the Council's efforts.

Tamra Faris will be a guest speaker. She is the Assistant Regional Administrator for Protected Resources, NOAA Fisheries Pacific Islands Regional Office.

Becky Hommon brought pictures from last year's Council field trip to Pearl Harbor. She invited the Council to again tour the U.S.S. LAKE ERIE and a submarine home-ported at Pearl Harbor. Ms. Hommon also provided CDs with sound recordings of marine mammals from the Office of Naval Research to the Sanctuary for education and outreach program efforts.

### **Discussion on Reports and Updates**

#### **Action Item Report:**

Mr. Coon addressed the items from the report (see attachment 1). In addition, he provided an update on the SAC cruise ship letter which was sent to the NMSP Headquarters office and asked Keeley Belva to highlight program efforts that deal with non-point source pollution contained in the written report (see attachment 2) that currently exist within the NMSP. Mr. Coon also encouraged committee chairs to continue working and meeting as committees in between Council meetings.

Mr. Coon asked for volunteers to be on an ad-hoc committee to review the incoming applications for Council seats that will become open in July. Bill Friedl, Teri Leicher, Becky Hommon, Terry O'Halloran, and Jim Coon volunteered.

Mr. Coon then asked for volunteers to be on the Retreat Planning Committee. Terry O'Halloran, Dick Poirier, Bill Friedl, Jeanne Russell, Jim Coon volunteered. The Council decided that the 2004 retreat would be held December 2-3.

#### **Sanctuary Manager:**

Naomi McIntosh submitted a written report (see attachment 3). She reminded the Council that applications were being accepted for the following seats: Business/Commerce, Citizen-At-Large, Commercial Shipping, Conservation, Education (Alternate), Fishing (Alternate), Native Hawaiian (Alternate), Ocean Recreation, Tourism, and Whale Watching. She also mentioned that a "SAC Facts" one-pager developed by the NMSP was included in today's handouts. Ms. McIntosh alerted the Council that planning for the 2005 National Chairs and Coordinators Meeting has begun and members should be thinking of a case study topic to be discussed during the site's presentation. Bill Friedl asked if the Council could see the presentation before it is given at the 2005 National Chairs and Coordinators meeting. Ms. McIntosh also informed them of upcoming dates for Sanctuary events: Congressional briefings in Washington, D.C. on SPLASH will take place the week of June 21<sup>st</sup>; the opening of the Kona office will be on July 29<sup>th</sup>; on July 30<sup>th</sup> the geodetic marker will be unveiled at the Maui site; August 18<sup>th</sup> is the groundbreaking ceremony for the Kihei Facilities Project; the Marine Protected Area Advisory Council will be holding sub-committee meetings on Maui

September 21-23 (Terry O'Halloran mentioned that the meeting is open to the public, that there are two public comment periods, and that he will distribute the agenda through Ms. McIntosh). The Marine Mammal Commission will also be holding their annual meeting in Kona in October. HIHWNMS staff members Patty Miller, Paul Wong and Cindy Hylkema will be attending the 2004 National Marine Educators Association (NMEA) meeting in Florida. HIHWNMS staff will be assisting with planning for 2005 NMEA meeting to be held in Maui. Ms. McIntosh encouraged the Council to provide information for the Advisory Council annual report and to consider creating a committee to take advantage of opportunities for the Council to communicate information outside the Council about the good work they do to support the Sanctuary.

#### **Sanctuary Co-Manager:**

Sanctuary Co-Manager, Dr. Jeffrey Walters, submitted a written report (see attachment 4) and introduced Justin Viezbicke, the West Hawai'i Marine Conservation Coordinator. Mr. Viezbicke has been setting up the new office in Kona as well as checking on a new monk seal pup on Hawai'i. The office warming will be held at the end of July and Council members will receive invitations shortly. The State office was active in helping to remove the sperm whale carcass that recently appeared in Kaneohe Bay and David Nichols has been assisting with the surgery taking place on O'ahu to remove a fishing hook from a monk seal. Dr. Walters welcomed Tamra Faris as well. He then handed out the *Managing Boat Waste: A Guide for Hawai'i Boaters*, a publication designed by DLNR and its partners, which was mentioned in Governor Lingle's reply to the Council regarding the lack of pump-out facilities in the state of Hawai'i.

#### **Conservation Committee:**

Dr. Louis Herman, Conservation Committee Chair, submitted a written report (see attachment 5) and he thanked the committee members for their recent efforts. After Dr. Herman provided a summary of the meeting, members of the Council offered the following suggestions that could be incorporated in a public awareness campaign: the campaign could include PSA's on television for radio, information for hotels' in-room visitor networks, the fishing show on OC-16, NOAA weather radio, information on boater registration forms. Ms. McIntosh, Mr. O'Halloran, and Patty Miller agreed to look into scheduling a meeting with Peter Gellatly of Network Media to explore a video for hotels' in-room networks.

#### **Research Committee:**

Marc Lammers, Research Representative submitted a written report (see Attachment 6).

**Education Committee:**

Jeanne Russell, Education Representative did not submit a written report. She stated that the committee met via conference call in May and attended a presentation during today's Committee meeting that was given by HIHWNMS staff member Jean Souza, Kauai Programs Coordinator. Ms. Russell recommended using the presentation for orientation of new Council members and staff. The committee has been working to get up to speed with the Council's latest efforts.

**Honolulu County:**

Bill Friedl, Honolulu County Representative did not submit written report.

**Kaua'i County:**

Kaua'i County Representative, Dr. Walter Haas, did not submit a written report.

**Maui County:**

Richard McCarty, Maui County Representative did not submit a written report.

**Hawai'i County:**

Hawai'i County Representative, Sara Peck, submitted a written report (see attachment 7). Duane Erway mentioned photos that were taken during the outreach event highlighted in the report.

**Boater Outreach Working Group:**

Reg White, Working Group Chair, submitted written a report (see attachment 8).

**Naturalist Training and Certification Working Group:**

Dick Poirier, Working Group Vice Chair, submitted a written report (see attachment 9).

**Unfinished Business**

- Non Point Source Pollution—Mr. Erway, mentioned the concern with sediments in ponds, and referenced findings in recent report from University of California Berkley. Dr. Herman wondered if it had a direct impact on humpback whales. **ACTION:** The Conservation Committee was asked to keep this issue active in their committee.

### **New Business**

- **PSA—ACTION:** Ms. Russell motioned that the Council support the Conservation Committee's effort to make Public Service Announcements (PSA) about "Watch out for Whales" type of campaign. Marc Lammers seconded. The motion passed unanimously.

### **Announcements**

There were no announcements.

### **Public Forum**

- Adam Pack proposed making ongoing research that the Sanctuary supports available to the public. He recommended highlighting researchers and making their studies available. He also asked that the Council recommend that a full necropsy take place when there is a stranding death of a marine mammal. Discussion ensued regarding the recent orca stranding on Lanai. Sarah Malloy commented that NOAA Fisheries is waiting for results of that necropsy, and suggested that the Council wait for the results before making a new request for policy change.
- Ms. McIntosh mentioned that, in light of this conversation, there is a Hawaiian Island Stranding Response Group (HISRG) meeting tonight. Dr. Walters stated that HISRG received a grant from NOAA Fisheries to help with their efforts.
- Dr. Herman asked how the results of necropsies are distributed and where the information from the orca was sent. Ms. Malloy said she would get that information.
- After some discussion on the best way for Council members to be informed on the latest research efforts and findings in Sanctuary waters at each meeting, Dr. Lammers made a motion that once a year the Council would be updated on research topics highlighted at the Biennial Conference on the Biology of Marine Mammals and once a year on research occurring in Hawai'i. **ACTION:** The motion passed unanimously. **ACTION:** Dr. Lammers also said that he would distribute the list of abstracts from the Biennial Conference on the Biology of Marine Mammals that he prepared for the Research Committee to the entire Council. Suggestions discussed for these updates included: David Mattila, HIHWNMS Science and Rescue Coordinator, present on his teams efforts during whale season; reports from the State office on research permits issued; reports from NOAA Fisheries from their annual meeting with permitted researchers; listing permitted research efforts on the Sanctuary's website; and the possibility of reporting information learned by permitted researchers.

### **Adjournment**

Council Chair, Jim Coon, adjourned the meeting at 12:10 p.m.

**Presentations** by Tamra Faris NOAA Fisheries, PIRO on the direction of the regional office, and Paul Newman, NOAA Fisheries OLE on their efforts during this past whale season. Bob Wilson, U.S. Coast Guard, also gave an update on the Coast Guard's efforts this past season.

### **Committee of the Whole**

The Council decided to forgo the Committee of the Whole meeting.

**Research and Sanctuary Change Committee Meetings** followed.

## **ATTACHMENTS**

### **Attachment 1**

#### **Hawaiian Islands Humpback Whale National Marine Sanctuary SANCTUARY ADVISORY COUNCIL**

#### **JUNE COUNCIL MEETING ACTION ITEMS** **Status Report**

**ACTION:** The Council asked for clarification on the state regulation regarding the use of personal watercraft during whale season.

STATUS: The regulation (HAR 13-256-112) bans all personal watercraft, commercial and private, from December 15<sup>th</sup> through May 15<sup>th</sup> in waters around south and west Maui.

**ACTION:** The Council voted to create the Sanctuary Change Committee, an ad hoc committee to look at possible inclusion of additional resources.

STATUS: The committee will meet following today's meeting and will receive their charge from the Council Chair.

**ACTION:** The Council requested to be provided with the FY05 budget and program plan for the Sanctuary by August 15, 2004.

STATUS: The Sanctuary is beginning planning for FY05.

**ACTION:** The Council requested that the Sanctuary Manager send a letter to the Director of the NMSP reminding him to give the Council information on national policies in a timely manner for the National Council Coordinators' and Chairs' Meeting.

STATUS: NMSP Director, Dan Basta sent a letter to the Advisory Councils regarding this issue (copies provided at June Council meeting).

**ACTION:** The Council requested that they receive a copy of the summary from the National Council Coordinators' and Chairs' Meeting.

STATUS: The Advisory Council Coordinator sent the summary via email on June 1, 2004.

**ACTION:** The Council will write a letter in support of pump out stations in Lahaina, Maui.

STATUS: Sanctuary Manager, Naomi McIntosh received a response from Governor Linda Lingle (copies provided at June Council meeting).

**ACTION:** The Conservation Committee recommended that the Council draft a letter regarding regular monitoring of waste water systems for cruise ships.

STATUS: The Conservation Committee has sent a letter to the Sanctuary Manager. The Sanctuary Manager will forward it to the appropriate agencies.

**ACTION:** The Boater Outreach Working Group was to continue developing guidelines for commercial vessels operating near whales

STATUS: The Council determined that the Working Group may develop outreach materials without further approval from the Council.



## **Attachment 2**

### **Non-Point Source Pollution in the National Marine Sanctuary Program (NMSP)**

#### **General:**

- Florida Keys NMS—The Sanctuary established a Water Quality Steering Committee that works with state and government agencies and the Water Quality Monitoring and Protection Program has funded three long-term monitoring projects: overall water quality, coral reef and hardbottom community health, and seagrass community health. The Sanctuary also plans to hold a State of the Sanctuary Summit in August to address the relationship between water quality and the health of the Florida Keys coral reef ecosystem.
- Olympic Coast NMS—The Sanctuary established and recently expanded the Olympic Coast Area-To-Be-Avoided (ATBA). The ATBA requests voluntary compliance that large ships travel further from shore to reduce the risk of oil spills.

#### **Cruise Ship/Vessel Discharge:**

- NMSP—A Cruise Ship Working Group was established and is looking into issues including advanced wastewater systems and no discharge regulations. During the Advisory Council Chairs' and Coordinators' Meeting in February 2004, discussions were held regarding the appropriateness of adopting program-wide policies for cruise ship discharges.
- Florida Keys NMS—The Sanctuary has supported adopting the state's no discharge regulations for Sanctuary waters.
- Monterey Bay NMS—The Advisory Council passed a resolution recommending that the Sanctuary prohibit cruise ship discharges within the Sanctuary boundaries and that the Sanctuary develop an education program for the passengers and crew of the ships.

#### **Marine Debris:**

- NWHICRER—The Reserve is part of the Multi-Agency Marine Debris Program, and helped to remove over 120 tons of marine debris from the Northwestern Hawaiian Islands.
- Gray's Reef NMS—A proposed a ban for all fishing gear, except rod and reel and handline during its management plan review process.

#### **Runoff:**

- Monterey Bay NMS—The Sanctuary established the Monterey Bay Sanctuary Citizen Watershed Monitoring Network in 1997. It is a consortium of approximately twenty-citizen monitoring groups that monitor the health of the watersheds flowing into the Sanctuary. The Sanctuary also partnered with local agriculture industry groups and agencies to develop the Agriculture and Rural Lands Program in 1999 in an effort to reduce runoff from agricultural lands. The group offered a course for farmers called Farm Water Quality Management Plan.

### **Attachment 3**

## **Hawaiian Islands Humpback Whale National Marine Sanctuary Advisory Council Manager's Report June 17, 2004**

### **Council Updates**

Reminder: the following seats: Business/Commerce, Citizen at Large, Commercial Shipping, Conservation, Ocean Recreation, Tourism, and Whale Watching are up for reselection, after the June meeting. Vacancies will also be filled for Education, Fishing, and Native Hawaiian alternates. If you would like to re-apply, applications will be available from Keeley. The deadline is July 12, 2004.

The HIHWNMS Sanctuary Advisory Council's Education Committee met via conference call on May 20. The purpose of the meeting was to discuss what the Committee would be working on throughout the next year.

### **Education and Outreach**

#### **Late April - May 2004**

The Sanctuary partnered with the Northwestern Hawaiian Islands Coral Reef Ecosystem Reserve to coordinate a Marine Conservation Evening at the Mokupapapa Discovery Center in downtown Hilo. Christine Brammer, O`ahu Programs Coordinator, and Carey Morishige, Assistant Programs Coordinator, worked with Jeffrey Kuwabara of the NWHI Coral Reef Ecosystem. The event featured special guest speakers that presented information on marine protected species and other conservation issues in Hawaii. There were researchers and field professionals available to answer questions from the public. Informational booths and hands-on activities were also available for children while the lectures were going on. This event was a great success, with over 100 attendees.

The Maui office continued to host visits for student and community groups. Including a special group of 65 seniors who demonstrated just as many questions and just as much interest in the whales as the kids.

On May 4, Kauai Sanctuary Programs Coordinator Jean Souza staffed a sanctuary activity booth which provided 300-400 preschoolers and kindergartners and special needs patients with information about mom and calf humpback whales. Mahelona Hospital, sponsor of the annual event for 17 years, reported that 1,200 preschoolers and Head Start kindergartners from around the island participated in this 3-hour event.

Maui site participated in the Coast Guard's Boater Awareness Day on Saturday, May 22. The booth focused on approach regulations for the humpback whales.

Christine Brammer, O`ahu Projects Coordinator, and other O`ahu Staff members represented HIHWNMS at the Hawai`i Boat Show. The event took place at Ko`Olina Boat Harbor, and the Sanctuary booth provided educational information on humpback whales and approach regulations.

The Maui site has been offered the assistance of a University of Hawaii grant program to set up a LIMPETS monitoring project. The Sanctuary will receive equipment, materials and transportation support for student groups.

### **June 2004**

The Maui site has established a calendar of events for the summer, offering a full agenda of day camps, Saturday family lectures and evening lecture series. The Maui Economic Business Board has offered to create a TV spot advertising the Sanctuary's summer program.

The Maui site is creating a "whale fence" at the entrance to the property. A volunteer is painting and cutting out awesome four to six foot plywood breaching and diving whales that will be attached to a low fence to create better visibility of the property for visitors.

Patty Miller met with the MEDB (Maui Economic Development Board), establishing partnerships with them to collaborate on some educational projects. Project East, a program where local High Schools are involved in GIS projects and another project that focuses on gender equity. The Sanctuary will be providing content, instructors and facilities for these projects. A part time teacher has been provided by MEDB to work with the Sanctuary staff on Maui.

## **Science and Rescue**

### **May – June 2004**

SPLASH finished its first winter season in Hawaii.

David Mattila attended the 29<sup>th</sup> meeting of the Marine Mammal Society of Mexico, as an invited guest and speaker. He gave a one-hour plenary talk about large whale entanglement, and another presentation with Jorge Urban (Regional coordinator for Mexico for the SPLASH project). He also sat on a panel advising the Society, and through them the Mexican government about large whale entanglement and disentanglement. Also discussed plans for students to be trained this summer in SPLASH techniques (i.e. biopsy, digital photography, data management...etc.). The meeting was hosted by the Autonomous University of Southern Baja California, in La Paz, Mexico.

David Mattila was an invited participant at a workshop in which the most current information about false killer whale interactions with the Hawaiian longline fishery was reviewed. The workshop was hosted by NOAA Fisheries Pacific

Islands Regional Office in light of NOAA Fisheries' proposal to reclassify the fishery as a "category I" (more restricted) fishery. This reclassification is being considered because of the relatively high level of interaction, combined with a low population estimate for the apparently genetically unique stock in the Hawaiian EEZ.

**Briefings Scheduled for NOAA Leadership and Congressional staff: David Mattila, the NMSP representative on the Steering Committee for the SPLASH project and also the regional coordinator for the Hawai'i portion of the project will be joined by a NOAA Fisheries representative to provide a status update on the project for NOAA Leadership and Congressional staff members.**

NOAA Leadership Briefing (National Ocean Service and NOAA Fisheries) has been scheduled for June 21 at 3:30 p.m. in Silver Spring, MD.

Congressional Staff Briefing for California, Washington, Alaska and Hawaii congressional delegations is tentatively scheduled for June 22, time and location TBD.

The briefing will cover:

- \* Brief history and rationales for the project (highlighting the inter Agency partnerships and the unprecedented level of international cooperation)
- \* Progress report from the breeding grounds this winter (several thousand photographic identifications and tissue samples)
- \* Report on the extensive sampling planned for this summer, with a focus on California, Washington and Alaska (especially several exciting expeditions to rarely studied areas in the Arctic and sub Arctic).
- \* Anticipated results of the project and their use in management and recovery of the endangered humpback whale in the U.S waters.
- \* Highlight how the project is cooperating with Canada and Mexico in the spirit of NAFTA's Convention on Environmental Cooperation, and will feed results into their North American Conservation Action Plan for Humpback Whales.

### Other

#### **Late April – June 2004**

On April 21, Jean Souza was the featured speaker at the Rotary Club of Poipu Beach meeting. Over 40 members and guests were in attendance for the short multi-media presentation on the NMSP, humpback whale research efforts with a focus on SPLASH, and Kauai sanctuary programs.

On April 22, Jean Souza was the featured speaker at a training session of naturalist volunteers for the Kilauea Point National Wildlife Refuge. Approximately 20 refuge volunteers received training on the NMSP, recent research findings, SPLASH research and the Kauai effort, and Kauai sanctuary

programs. Refuge volunteers are responsible for the public interpretive program at this refuge, which serves as the gateway to the Kauai portion of the sanctuary.

All of the Hawai'i staff participated in an All Hands Meeting that was held in Maui on April 29 and 30. The purpose of the meeting was to help all staff members learn about current and planned activities, to ensure project planning integrates with current and planned activities and the Management Plan, and to help maintain a team that works effectively and happily together.

In May, Paul Wong represented the Pacific Region and attended the NMSP Education Working Group meeting in Silver Spring, MD.

Project planning continued for the Kihei Facilities Project. Coordination meetings were held with Maui County representatives the Pacific Engineering Division. Sanctuary staff provided a presentation to the Kihei Community Association in Maui on the new building construction, the site's participation in a cultural heritage trail project and up coming events. Allen Tom, Patty Miller, and Paul Wong met with the Mayor of Maui to update him on the Kihei building project and invite him to participate in the ground-breaking ceremony of the new building on August 18.

University of Hawai'i - Hawaiian Internship Program intern, Kaimana Lee, started her project work with the Sanctuary for the summer. Her efforts will involve creating awareness for the Hawaiian culture and recruiting volunteers to help with the fishpond program.

Christine Brammer, O'ahu Programs Coordinator, provided training on Hawaii's marine protected species during the University of Hawaii Sea Grant's Hanauma Bay Education Program new volunteer training session.

Allen Tom, Pacific Regional Coordinator hosted a meeting with Kahoolawe Island Reserve Commission on Friday, May 14. Naomi McIntosh participated in a meeting to discuss potential opportunities for collaboration with the HIHWNMS, NWHI CRER and the NMSP Pacific Region.

A student-written article entitled "Kauai's Humpback Whales Face Threat of Fishing Nets" was published in Island School's recent issue of Switch, a newsmagazine for Kauai's teens. The article was also selected for the national edition of the online high school newspaper (week of April 26) provided by the American Society of Newspaper Editors. The articles feature an interview with Kauai Programs Coordinator Jean Souza about NOAA's expanding capability to respond to large whale entanglements.

## **July 2004**

**Kona Office Opening**, Thursday, July 29, 2004 at the Sanctuary Office at the Natural Energy Laboratory of Hawaii Authority.

**Geodetic marker installation** will be unveiled at a ceremony at the Maui site on Friday, July 30, 2004. Dan Basta, director of the National Marine Sanctuary Program will preside over the ceremony. The director of the NOS Office of Geodetic Survey is invited. A local high school class that has studied geodetic science will be present at the event to assist in the calibration and demonstration of the marker

#### **August 2004**

**Kihei Facilities Project Groundbreaking**, Wednesday, August 18, 9:30 a.m at the Maui Sanctuary site.

#### **Attachment 4**

June 10, 2004

#### **MEMORANDUM**

To: Sanctuary Advisory Council, Hawaiian Islands Humpback Whale National Marine Sanctuary

From: Jeff Walters, Sanctuary Co-Manager, Hawaii Department of Land and Natural Resources (DLNR), Division of Aquatic Resources (DAR)

Subject: Update from the Sanctuary Co-Manager for the period of April 20, 2004 through June 10, 2004 (Prepared for the June 17, 2004 Council meeting).

#### **New Sanctuary Office, Kona, Big Island**

June 1 was the first official day on the job for Justin Viezbicke, the sanctuary's new West Hawaii Marine Conservation Coordinator. Justin is spending his first days on the job setting up his new office, getting his vehicle in good running condition and taking care of other administrative and logistical matters with assistance from David Nichols. As previously reported, NELHA is providing a vehicle and office space free of charge for the next two years. The first big event on Justin's calendar is an "Office Warming" scheduled for July 29, 2004, 10am - noon. Expected guest speakers include, Representative Ed Case, National Marine Sanctuary Program Director Dan Basta, DLNR Chairperson Peter Young, and NELHA Executive Director Jeff Smith. An Hawaiian blessing will also be conducted. All Council members are cordially invited. Invitations will be sent out before the end of June. Thanks again to Council members Sara Peck and Teri Leicher for all their support during the long process of establishing this new office.

#### **State Legislative Update**

"Dolphin Watching Resolution" – Senate Resolution 29 passed on April 29, 2004 - This resolution originally requested the Department of Land and Natural Resources to work with commercial tour operators and fishermen along the

Waianae area to formulate a management strategy to protect the Hawaiian spinner dolphin. SD1 was revised significantly to request NOAA to work with DLNR to ensure that spinner dolphins are managed and protected in a manner consistent with the MMPA. A copy of the resolution is available at [http://www.capitol.hawaii.gov/sessioncurrent/bills/sr29\\_sd1\\_.htm](http://www.capitol.hawaii.gov/sessioncurrent/bills/sr29_sd1_.htm).

“Cruise Ship Bill” - Senate Bill 3116 / House Bill 1982 – It appears as if this measure “died in committee.” The purpose of this bill was to protect Hawaii’s marine environment from pollution associated with discharge from cruise ships. It would have revised HRS 342D to: regulate discharge, require record keeping, provide for a pollution control revolving fund funded via fees and fines, and other measures.

### **Research**

The state office continues to administer the federal funds for SPLASH research in Hawaii waters. In addition to the seven field research teams already funded for fluke ID photos and biopsy sampling, a new PO was issued in mid May for additional, “late season,” field research around Maui. Two Maui-based fluke photo matching assistants were also recently hired on a short-term basis.

### **Sanctuary Vessels**

**The state office continues to assist with the operation and maintenance of the 22’ SeaCat and 40’ ManaCat. With whale research now completed for this year, the SeaCat is scheduled for coral reef surveys and other DLNR-led ecological survey work around Maui throughout the summer. After being used for SPLASH research over the winter, the ManaCat was transferred to the UH Snug Harbor facility on Oahu in late May for maintenance and storage over the next few months.**

### **Boater Outreach**

With the Council’s endorsement of the draft boater outreach sign at the April 21 meeting, bids were solicited from graphic designers to do the artwork, layout, etc. to produce a final “camera ready” version of the sign. We have received two competitive bids and will make a selection by mid June. Once the designers have completed the sign and it is reviewed by the working group, comments will be requested from the Council and NOAA prior to going to the sign production and installation phases.

### **Strandings**

Sperm whale carcass, May 13 - 21: Sanctuary staff were active in attempts to remove the 45 ft long carcass of a sperm whale that washed onto reefs on the windward side of Oahu. Jeff Walters, David Nichols and Paul Wong assisted NOAA Fisheries with the first removal on Friday, May 14, 2004. When the carcass unexpectedly drifted back on to a reef off Ka`a`awa on Monday, May 17, the state sanctuary office took the lead in hiring a marine salvage contractor and overseeing the second, and final, removal. After consulting with University of Hawaii oceanographers on ocean current conditions, we directed the contractor to release the carcass approximately 5 miles west of Kaena Point. We also coordinated with staff from NOAA fisheries and the Hawaiian Islands Stranding Response Group (HISRG) who attached a VHF transmitter to the carcass during



the second tow-out so that it can be tracked with a directional receiver. After drifting precariously close to the North Shore over the next several days (tracked and reported by several helpful fishermen), trade winds finally returned on May 21 and the carcass drifted away for good.

### **Kauai Monk Seal Conservation**

Shawn Farry, the Kauai Marine Conservation Coordinator (NOAA Fisheries funded) unexpectedly announced his resignation for personal reasons effective June 1, 2004. Approvals have already been requested to refill the position asap – hopefully before the end of August. Meanwhile, two monk seals with fish hooks in their mouths and/or innards and trailing fishing line are being tracked on Kauai. Attempts to capture and treat the seals have been unsuccessful thus far. DLNR is also assisting NOAA Fisheries in monitoring the status of two new monk seal pups (both about 2 weeks old), one on Oahu and the other on the Big Island.

### **Meetings, Etc.**

- I. April 20 - 23 – Jeff Walters chaired the Western Pacific Fisheries Management Council, Coral Reef Ecosystem Fishery Management Plan Team meeting.
- II. April 23 – Jeff Walters joined sanctuary manager, Naomi McIntosh and other sanctuary staff in meeting with Maui County officials regarding SMA and other regulatory issues associated with constructing the new multipurpose building in Kihei. Also attended meeting regarding ground breaking ceremony for the new building.
- III. April 28 - 29 – Jeff Walters, David Nichols and Justin Viezbicke attended the “all hands” sanctuary staff retreat on Maui.
- IV. May 12 – Jeff Walters Met with Paul Wong, sanctuary operations coordinator, regarding budget issues.
- V. May 18 – David Nichols joined DAR team in assessing environmental impacts associated with proposed dolphin watching beach concession at Makua Beach, Kaena State Park.
- VI. June 2 – Jeff Walters and David Nichols attended WESPAC / NOAA Fisheries workshop on false killer whale interactions with Hawaii’s long line fishery.
- VII. June 7 – David Nichols attended the marine mammal acoustics workshop held at UH by NOAA Fisheries and the Hawaiian Islands Stranding Response Group (HISRG).
- VIII. June 7 - 8 – Jeff Walters and David Nichols held new employee briefings / orientation with Justin Viezbicke, newly hired West Hawaii sanctuary staff person.

cc: Peter T. Young, DLNR Chairperson  
Yvonne Y. Izu, DLNR Deputy Director  
William S. Devick, DLNR-DAR Administrator  
Allen Tom, NMSP Pacific Islands Regional Coordinator  
Naomi McIntosh, Sanctuary Manager

## Attachment 5

### **Hawaiian Islands Humpback Whale National Marine Sanctuary Advisory Council**

#### **Conservation Subcommittee Meeting Notes**

April 21, 2004

#### Attendance

Lou Herman, Rebecca Hommon, Kimokeo Kapahulehua, Eric Kingma, Teri Leicher, Terry O'Halloran, Terry Rice, Jeanne Russell, Cheryl Sterling, Jeff Walters, Reg White

#### Members report on operators' survey of "whale waters" operating policies

*Commercial operators* – Teri Leicher spoke with a wide variety of operators along the Kona coast, including fishermen. She reported that most vessels operate between 9 and 12 knots, with lengths ranging up to 120 feet. Some inflatable type boats go up to 15 kts. "Weekenders" seem to often go faster than 15 kts. There was no reported change of operations during whale season, except to reduce speed once a whale is spotted. It is hard to give a recommendation re operating a certain distance from shore. Education is essential to help people understand why safe operation is important.

*Deep draft, piloted vessels, towing, and public vessels* – Terry Rice distributed a handout (attached) regarding a variety of vessels. USCG is working on further guidelines to offer during trainings re safe operation around whales, but it is important to realize the operational constraints the USCG works under.

*Naval ships* – Becky Hommon indicated that the Navy is very aware of the danger of whale strikes and takes measures to avoid them, but it must be understood that the mission may sometimes take precedence over all other concerns. There is a general radio notice regarding whales that goes out to all ships coming into port. In training, e.g., submarine exercises, CO's must have a "green range," i.e., no whales or other "biologics" in the area, before conducting exercises that might endanger the whale. Detecting and avoiding whales has been incorporated into their exercises.

*Cruise ships* – Terry O'Halloran stated that cruise ships are very aware of whales; they often do "whale watches" while steaming between ports. He noted that cruising speeds may be reduced with the new US flagged vessels since they will not have to make a stop at Fanning Island. Some members expressed concern that the practice of cruising in-between posts at night still posed a problem and that the foreign flagged vessels are probably of greater concern.

Concerns about high-speed ferries were also discussed. *Fishing boats* – Kimokeo Kapahulehua stated that the typical operation of fishing boats is similar to that of commercial dive and snorkel tour boats, they usually go out and come back in as fast as possible. Eric Kingma added that the large longline vessels do not appear to alter their operations during whale season. He also noted that they often leave harbor at night. However, they usually leave harbor and immediately head straight out to deep waters; and these vessels usually do not travel at speeds faster than 9 kts.

Chair Lou Herman closed the meeting with the suggestion that the reports from the various members be compiled and then the group would make recommendations for revising various practices by vessel class, if deemed

necessary. It was anticipated that any recommendations would either be related to altering operations or conducting education. Teri Leicher noted the need to still get educational info out to recreational, small boaters. Terry Rice also noted that all vessels could use more detailed information regarding high whale density areas, etc. It was decided that Jeff Walters would type up notes from the meeting and get text input from the various members. After distribution of the draft notes, a conference call would be scheduled to determine the next steps.

## **Attachment 6**

### **RESEARCH COMMITTEE REPORT**

June 17<sup>th</sup>, 2004

Marc O. Lammers, Chair

The Research Committee met immediately following the April 21<sup>st</sup> SAC meeting and continued the discussion on plans for an anonymous, State-wide whale/vessel collision reporting system. There was some concern expressed regarding the possibility of conflict between this anonymous system and required reporting of a collision as a “marine casualty” to the USCG and/or NOAA Fisheries. It was pointed out that the system could be designed to inform reporters about any legally required reporting and that the marine casualty regulations did not apply to unlicensed operators.

How and whether the sanctuary could fund the project was also discussed. It was noted that the costs should be minimal once the system is in place – only the costs of a part time administrator and/or technician. Whether or not this should be considered a long-term or short-term project was also discussed. In general, the group thought that the study would need to be conducted for 3 to 4 years before the system’s effectiveness could be evaluated. A draft RFP for 3-year whale-vessel collision anonymous reporting study was presented and discussed.

During the period following the last meeting several action items were completed. Bill Friedl contacted colleagues at the State’s Department of Business, Economic Development and Tourism for advice on the marketing and logistical elements of the proposed study. A response was provided that outlined issues regarding possible bias in the reporting. These will be considered and discussed at the upcoming Research Committee meeting.

I was tasked with contacting and discussing the study with individuals from NOAA’s Pacific Islands Regional Office. I had a phone conversation with Margaret Akamine in which she voiced concerns regarding the possibility of having multiple reporting phone numbers. She also requested that the plan be outlined in writing so that it can be evaluated by her office and other agencies that might have comments or concerns.

A third action item completed was the drafting of a written plan, as also subsequently suggested by Ms. Akamine. The draft plan has been written and has been submitted to members of the Research Committee for review. It will be discussed at the upcoming meeting. This meeting will focus on finding consensus on the draft plan so that it may be circulated to the appropriate outside agencies for comment. The intention is to have a finalized plan that will be presented to the full SAC for a vote of approval by the next meeting.

**Attachment 7**

**Hawaii County Report  
18 November 2004  
Sara Peck, Representative**

**Accomplishments:**

ReefTalk, April 6<sup>th</sup>, “Learn to Sea” by Ziggy Livant in Kamuela

ReefTalk May 25<sup>th</sup>, “Kona Underwater and Monk Seal Mugging” by Porter Watson in Kona, with NOAA Marine Protected Species discussion re how to act around monk seals.

Alien Algae Workshop Sat. April 24<sup>th</sup>, at UH Hilo held in collaboration with Dr. Karla McDermid and Linda Preskitt, algae experts. Eight teachers attended.

ReefWatcher Training May 12<sup>th</sup>, in Kona, 8 people attended; one new watcher, the rest were getting ready to really begin the monitoring and were there to sharpen their skills.

ReefWatcher Training May 29<sup>th</sup>, in Capt. Cook. ...

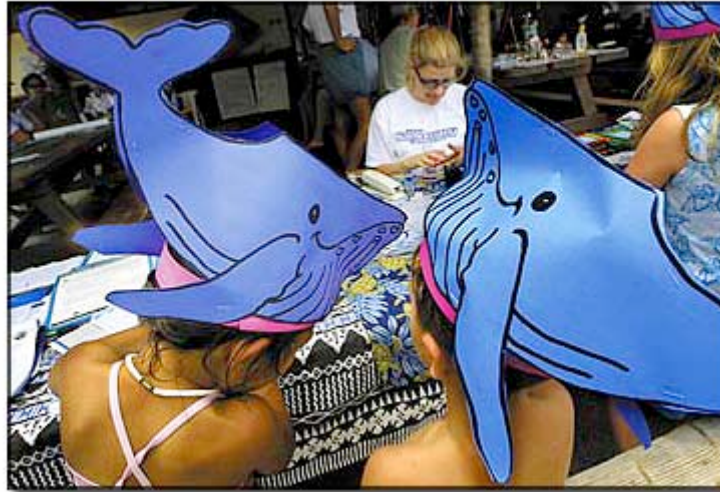
ReefTeachers adult cadre, with Duane Erway leading the teaching effort at Kahalu'u Bay. Duane is also gathering data on human use behavior change: Taught vs Not Taught. West Hawaii Explorations Academy is continuing to gather data, as are the Kona Girl Scouts on their ReefTeach days.

Milolii Monitoring May 8<sup>th</sup>, with 11 students and adults attending. Next monitoring will be June 5<sup>th</sup>, Saturday.

Coral Reef Awareness Day at Kahaluu April 25<sup>th</sup>. Thirty eight volunteers assisted UH Sea Grant and Kona Girls Scouts in putting on the 4<sup>th</sup> Annual Coral Reef Awareness Day. Chris B. and her assistants made the front page of the paper with their colorful Whale Hats and activities.

Christine Brammer, center, with the NOAA National Marine Sanctuary Program works with humpback-hatted kids at the 4th annual Coral Reef Awareness Day. Local organizations provided information, games, prizes, tours and refreshments for participants. -Baron Sekiya-WHT

## Whale Workshop



### **Events Attended:**

See Above

### **Hot Topics:**

Monk Seal Landings

Mooring Buoy Cuttings

### **Announcements:**

Milolii Ocean Week July 19-23, 2004

## **Attachment 8**

### **Hawaiian Islands Humpback Whale National Marine Sanctuary Advisory Council**

#### **Boater Outreach Working Group Report for June 17 Council Meeting**

**Reg White, Chair**

The Council endorsed the draft boater outreach sign at its April 21, 2004 meeting. The group has not met since then, but sanctuary staff have requested bids from graphic designers to do the artwork and layout to produce a professional quality version of the sign. The group expects to review this version of the sign as soon as it is completed - hopefully before the end of August. Once the group is happy with this version, it will be presented to the full Council and NOAA for final comments and approval. After final approval is obtained, as many as three signs will be produced and installed before the beginning of next whale season (December 2004). The group will also meet over the summer to discuss the best locations for the signs, as well as to discuss other outreach products such as posters and stickers.

## **Attachment 9**

### **Report to the Sanctuary Advisory Council from the SAC NATURALIST CERTIFICATION WORKING GROUP**

*17 June 2004*

*Dick Poirier, Vice Chair*

Chair Teri Leicher is on travel and she has asked me to prepare this report on the progress that the sanctuary is making related to naturalist certification/training/volunteer training as follows:

(1) The Sanctuary is planning to conduct a one-day humpback whale training in winter 2004 on the Big Island, Maui, Oahu and Kauai. The target audiences for each island are currently being identified; many of the attendees are expected to be sanctuary volunteers. It is likely that the 4-hour class will be for folks who already know the basics about humpback whales. SPLASH Research project will also be covered. Each island's sanctuary programs coordinator is planning individual strategies to handle introductory sessions. Options for issuing certificates are being explored.

(2) Sheri Knapp, part-time programs assistant on Kauai, has initiated an inventory of the naturalist-type training opportunities in Hawaii. Once the inventory is completed, the SAC WG will be able to provide the sanctuary with feedback on

the role we can play on naturalist training, island by island and statewide. Following is the inventory form being used. (This is one of the goals identified for our working group.)

(3) As far as the NMS national working group on the same topic, some administrative changes have been made to help encourage more productivity on the national level. This spring, Shelley Du Puy (education coordinator at Flower Gardens Bank NMS) and Jean Souza are now serving as project co-leaders with Anne Smrcina (the education coordinator at Stellwagen Bank NMS, who authored the white paper on this topic a couple of years ago; that white paper has been distributed to the WG).

(4) Our working group will get together when Teri gets back to come up with ways we can jump start at least the local certification process as well as encourage the national working group to get this project off the back burner.



**NATURALIST & INTERPRETIVE TRAINING OPPORTUNITIES IN  
HAWAII**

**Inventory**

Name of Organization:

\_\_\_\_\_

Contact/Title:

\_\_\_\_\_

Address:

\_\_\_\_\_

Phone/Fax:

\_\_\_\_\_

Email:

\_\_\_\_\_

1. What is offered and details:

\_\_\_\_\_

\_\_\_\_\_

Time:

\_\_\_\_\_

\_\_\_\_\_

Place:

\_\_\_\_\_

\_\_\_\_\_

Class size:

\_\_\_\_\_

\_\_\_\_\_

Class duration:

\_\_\_\_\_

\_\_\_\_\_

Instructor(s):

\_\_\_\_\_

\_\_\_\_\_

Target audience(s):

\_\_\_\_\_

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Pre-requisites:

\_\_\_\_\_

\_\_\_\_\_

Course requirements:

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Cost: 

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2. Is it ongoing or periodic?

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Course offerings for next 2 years:

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3. Is this a certification program?

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Certification by:

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Renewal requirements:

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4. How much of course is about marine life or marine environment?

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5. Topics covered:

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6. Materials sent?

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Comments: